DO NOT ENTER: /E.H./ (09/15/2008)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

10/828,721

Confirmation No.: 4770

Applicant Filed

Louis G. Ellis April 21, 2004

TC/A.U.

3731

Examiner

Houston, Elizabeth

Title

MAGNETIC EMBOLIC

PROTECTION DEVICE

AND

METHOD 1001.1521101

Docket No. Customer No.

28075

AMENDMENT IN ACCORDANCE WITH 37 CFR §1.116

Mail Stop AF Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

CERTIFICATE FOR ELECTRONIC TRANSMISSION: The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 29th

Dear Sir:

This amendment is being filed in response to the Office Action of July 8, 2008.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.